

Petition to Determine Interest in Real Property [Prob. C. 850(a)(2)(C)]

<p>DOD: 2-26-01</p>	<p>ANNA N. FOSTER, daughter and Administrator with Limited IAEA with bond of \$100,000, is petitioner.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
<p>Cont. from 081513</p>	<p>Petitioner states the Decedent died owning residential real property on E. Belgravia in Fresno, which property comprises the entirety of the estate. The Court confirmed sale of the property for \$51,000 on 3-4-13; however, the preliminary title report showed a Deed of Trust recorded 9-15-81 (Exhibit 1). The beneficial interest in the Deed of Trust was subsequently assigned by mesne assignment to Charles W. Dean and Leroy H. (Mike) Todd, as trustees of the Dean-Todd Trust dated 4-19-85. Notwithstanding the report, Petitioner is informed and believes that the property was owned free and clear of all liens and alleges that a reconveyance was received by the Decedent. However, Petitioner cannot located it, and it was never recorded.</p>	
<p><input type="checkbox"/> Aff.Sub.Wit.</p>	<p>Fearing the buyers will be lost and the estate irreparably harmed, Petitioner filed an ex parte application for order clearing title. The Court ordered the property to be sold free and clear of the Deed of Trust but the net proceeds were to be impounded with the Court pending determination of any other person's interest to the Deed of Trust.</p>	<p>Reviewed by: skc</p>
<p><input checked="" type="checkbox"/> Verified</p>	<p>Escrow closed on 6-28-13 and net proceeds of \$39,968.64 were impounded with the Fresno County Clerk of the Court on 5-30-13.</p>	<p>Reviewed on: 9-24-13</p>
<p>Inventory</p>	<p>Petitioner states prior to seeking the court order referenced above, Suzanne Carroll, a paralegal at the estate's attorney's office, undertook an heir search to locate Dean, Todd, or any of their heirs. See declaration. Both Dean and Todd are deceased and there is no record of any proceeding regarding the trust. Without have the terms of the trust, it is impossible to know whether there are any remainder beneficiaries.</p>	<p>Updates:</p>
<p>PTC</p>	<p>Petitioner brings this petition to claim the full amount of the net proceeds and to provide notice and an opportunity for anyone who may have a beneficial interest in the Deed of Trust to object.</p>	<p>Recommendation:</p>
<p>Not.Cred.</p>	<p>Petitioner provides a list of person known by Petitioner who may have an interest, by way of inheritance, or are otherwise entitled to notice. The Court also authorized notice by publication to any unknown persons who may be an interested party. Notice was published in the Fresno Business Journal. See Declaration of Publication filed 8-16-13.</p>	<p>File 1 – Foster</p>
<p><input checked="" type="checkbox"/> Notice of Hrg</p>	<p>Petitioner prays this Court order that the entire net proceeds from the sale in the amount of \$39,968.64 are determined to be the property of the estate, and for all other orders the Court deems just and proper.</p>	
<p><input checked="" type="checkbox"/> Aff.Mail w</p>		
<p>Aff.Pub.</p>		
<p>Sp.Ntc.</p>		
<p>Pers.Serv.</p>		
<p>Conf. Screen</p>		
<p><input checked="" type="checkbox"/> Letters 5-11-07</p>		
<p>Duties/Supp</p>		
<p>Objections</p>		
<p>Video Receipt</p>		
<p>CI Report</p>		
<p>9202</p>		
<p><input checked="" type="checkbox"/> Order</p>		
<p>Aff. Posting</p>		
<p>Status Rpt</p>		
<p>UCC/JEA</p>		
<p>Citation</p>		
<p>FTB Notice</p>		

**Third Account and Report by Bruce D. Bickel, Trustee; Petition for Settlement;
 Approval and Allowance of Trustee's and Attorneys' Fees [Prob. C. 1060,
 17200(a)(5)]**

		BRUCE D. BICKEL , Trustee, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 10-1-10 through 9-30-12	
		Accounting: \$334,334.21	
		Beginning POH: \$283,764.70	
		Ending POH: \$215,114.33	
<input checked="" type="checkbox"/>	Aff.Sub.Wit.	(\$46,230.30 cash plus mutual fund accounts, personal property)	
<input checked="" type="checkbox"/>	Verified Inventory		
	PTC	Trustee: \$9,519.00 (per declaration, at reduced rate of \$150)	
	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	Attorney: \$2,920.50	
	Aff.Pub.		
	Sp.Ntc.	Costs: \$200.00 (filing)	
	Pers.Serv.	Bond: \$393,454.61 (sufficient)	
	Conf. Screen		
	Letters	Petitioner prays for an order:	
	Duties/Supp	1. Approving, allowing, and settling the Third Account and Report;	
	Objections	2. Approving all acts and transactions of the Trustee shown by this Third Account and Report;	
	Video Receipt	3. Authorizing payment to the Trustee of \$9,519.00;	
	CI Report	4. Authorizing payment to the Attorney of \$2,920.50 plus \$200.00 in costs;	
	9202	5. For such further orders as are proper.	
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 9-24-13
			Updates: 9-27-13
			Recommendation:
			File 2 – Castillo

(1) Report of Executor and Petition for Allowance of Statutory Fees and Reimbursement of Costs, and (2) for Final Distribution on Waiver of Accounting [Prob. C. 10831, 10954 & 11640]

DOD: 7/3/2010		SCOTT MOMMER , Executor, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	
		I & A - \$498,472.42	
Cont. from		POH - \$607,864.53	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Attorney (statutory) - \$12,969.45	
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC	Executor (statutory) - \$12,969.45	
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Costs - \$1,702.50 (filing fees, certified copies, probate referee, publication)	
<input checked="" type="checkbox"/>	Aff.Mail	W/	
<input type="checkbox"/>	Aff.Pub.	Closing reserve - \$10,000.00	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen	Distribution, pursuant to Decedent's Will, is to:	
<input checked="" type="checkbox"/>	Letters	9/14/10	
<input type="checkbox"/>	Duties/Supp	Marla Papagni - \$72,407.71, Time share residence and 1/3 interest in 2 parcels of real property located in Fresno County	
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report	Scott Mommer - \$72,407.71, and 1/3 interest in 2 parcels of real property located in Fresno County	
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting	Tara Humberstone - \$72,407.71, and 1/3 interest in 2 parcels of real property located in Fresno County	
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 9/24/13
			Updates:
			Recommendation: SUBMITTED
			File 3 – Mommer

(1) Waiver of Accounting and (2) Petition for Final Distribution under Will and (3) For Allowance of Fees to Attorney

DOD: 4/6/12	REBECCA FINDERUP , Executor, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on: a. Jeffrey Bodmer b. Steven Bodmer
	Accounting is waived.	
	I & A - \$237,674.85	
	POH - \$253,854.68	
Cont. from	Executor - waives	
<input type="checkbox"/> Aff.Sub.Wit.	Attorney (statutory) - \$7,753.49	
<input checked="" type="checkbox"/> Verified	Closing reserve - \$2,500.00	
<input checked="" type="checkbox"/> Inventory	Distribution, pursuant to Decedent's Will, is to:	
<input checked="" type="checkbox"/> PTC	Rebecca Finderup - \$81,200.30 and 1/3 interest in personal property.	
<input checked="" type="checkbox"/> Not.Cred.	Jeffrey Bodmer - \$81,200.30 and 1/3 interest in personal property.	
<input type="checkbox"/> Notice of Hrg X	Steven Bodmer - \$81,200.30 and 1/3 interest in personal property.	
<input type="checkbox"/> Aff.Mail X		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters 7/30/12		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input checked="" type="checkbox"/> FTB Notice		
		Reviewed by: KT
		Reviewed on: 9/24/13
		Updates: 9/27/13
		Recommendation:
		File 4 – Bodmer

Petitioner prays for an Order:

1. Authorizing and directing Beverly Hall, as Conservator of the estate of Christine Dhooghe, to execute the Will attached as Exhibit "A" to this petition on behalf of Christine Dhooghe under Probate Code § 2580(b)(13).

Note: The attached Will proposes to leave the conservatee's tangible personal property in equal shares to her siblings and the residue of her estate to Beverly Hall if she survives the conservatee or her surviving siblings if Beverly Hall does not survive her.

	DAVID C. DUNGY , Trustee, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 1-1-07 through 11-1-12	Continued from 8-19-13
	Accounting: \$ 225,375.69	Minute Order 8-19-13: Ms. De Caro advises the Court that she has some questions regarding this matter and would like an opportunity to retain counsel. Ms. De Caro requests a continuance. Continued to 9/30/13 @ 9:00 a.m. Dept. 303
	Beginning POH: \$ 0.00	
	Ending POH: \$ 0.00	Note: The order in the file was marked up at the last hearing; therefore, if granted, a new order is needed.
Cont. from 081913	Petitioner states the trustee has reimbursed himself out of pocket expenses but otherwise has not received or taken any compensation.	
<input type="checkbox"/> Aff.Sub.Wit.	Petitioner requests that:	
<input checked="" type="checkbox"/> Verified	1. The account be settled, allowed, and approved, and all acts and transactions of Petitioner be ratified, confirmed, and approved;	
<input type="checkbox"/> Inventory	2. The trust be terminated; and	
<input type="checkbox"/> PTC	3. Such other and further orders as the Court may deem proper under the circumstances.	
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail w		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: skc
		Reviewed on: 9-24-13
		Updates:
		Recommendation:
		File 6 – De Caro

DOD: 04/30/2013		<p>MARGUERITE HUGHES, niece is petitioner and requests appointment as Administrator with will annexed with bond set at \$550,000.00.</p> <p>Full IAEA - ?</p> <p>Will dated: 08/19/2000</p> <p>Residence: Reedley Publication: NEED</p> <p>Estimated value of the Estate: Personal property \$550,000.00</p> <p>Probate Referee: Steven Diebert</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need original will to be deposited with the Court pursuant to Probate Code §8200(a)(1). 2. Will is not self-proving. Need proof of Subscribing Witness. 3. Need Affidavit of Publication. 4. Need Notice of Petition to Administer Estate. 5. Need proof of service of Petition to Administer Estate on all entitled to service. 6. Need Confidential Supplement to Duties & Liabilities of Personal Representatives. 7. Need Order. 8. Need Letters. <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, 11/01/2013 at 9:00a.m. in Dept. 303 for the filing of the bond and Friday, 03/07/2014 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Friday, 12/05/2014 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
Cont. from			
<input type="checkbox"/> Aff.Sub.Wit.	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/> Verified	<input type="checkbox"/>		
<input type="checkbox"/> Inventory	<input type="checkbox"/>		
<input type="checkbox"/> PTC	<input type="checkbox"/>		
<input type="checkbox"/> Not.Cred.	<input type="checkbox"/>		
<input type="checkbox"/> Notice of Hrg	<input checked="" type="checkbox"/>		
<input type="checkbox"/> Aff.Mail	<input checked="" type="checkbox"/>		
<input type="checkbox"/> Aff.Pub.	<input checked="" type="checkbox"/>		
<input type="checkbox"/> Sp.Ntc.	<input type="checkbox"/>		
<input type="checkbox"/> Pers.Serv.	<input type="checkbox"/>		
<input type="checkbox"/> Conf. Screen	<input type="checkbox"/>		
<input type="checkbox"/> Letters	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/> Duties/Supp	<input type="checkbox"/>		
<input type="checkbox"/> Objections	<input type="checkbox"/>		
<input type="checkbox"/> Video Receipt	<input type="checkbox"/>		
<input type="checkbox"/> CI Report	<input type="checkbox"/>		
<input type="checkbox"/> 9202	<input type="checkbox"/>		
<input type="checkbox"/> Order	<input checked="" type="checkbox"/>		
<input type="checkbox"/> Aff. Posting	<input type="checkbox"/>		
<input type="checkbox"/> Status Rpt	<input type="checkbox"/>		
<input type="checkbox"/> UCCJEA	<input type="checkbox"/>		
<input type="checkbox"/> Citation	<input type="checkbox"/>		
<input type="checkbox"/> FTB Notice	<input type="checkbox"/>		
Reviewed by: LV			
Reviewed on: 09/24/2013			
Updates:			
Recommendation:			
File 7 – Peters			

DOD: 01/17/2010		GEORGE C. HAMPARSON, II, son/named executor without bond, is petitioner. Full IAEA - ? Will dated: 05/31/1991 Codicil: 03/09/2006 Residence: Fresno Publication: Need Estimated value of the Estate: Personal property \$303,000.00 Probate Referee: Rick Smith	NEEDS/PROBLEMS/COMMENTS: <u>Continued to 10/23/2013 at the request of the Attorney</u> 1. Need Notice of Petition to Administer Estate. 2. Need proof of service of the Notice of Petition to Administer Estate on the Trustee of the George C. and Anita M. Hamparson Trust. 3. Need proof of service of Notice of Petition to Administer Estates on: <ul style="list-style-type: none"> • Florence Elaine Hamparson • Robert W. Williams, Jr. • Verda E. Hamparson Pursuant to Probate Code §8110(b). 4. Need Affidavit of Publication. Note: If the petition is granted status hearings will be set as follows: <ul style="list-style-type: none"> • Friday, 03/07/2014 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Friday, 12/05/2014 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
Cont. from			
Aff.Sub.Wit.	s/p		
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	x		
Aff.Mail	x		
Aff.Pub.	x		
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: LV Reviewed on: 09/24/2013 Updates: 09/25/2013 Recommendation: File 8 – Hamparson	

Jade (13)	TEMP EXPIRES 8-12-13	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 8-12-13</p> <p>Minute Order 8-12-13: The Court dispenses with further notice to Jade's father in that he is believed to no longer be in the United States. The Court dispenses with further notice to Ramon and Samuel's father. The Court directs the Petitioner to provide notice to mother and cure the remaining defects listed in the examiner notes. Matter is continued to 9/30/13 at which time the fee waiver(s) will be addressed by the Court. The temporary is extended to 9/30/13. Continued to 9/30/13 at 9:00am in Dept. 303. Temp Letters extended to 9/30/13.</p> <p>As of 9-24-13, nothing further has been filed. The following issues remain:</p> <p style="text-align: center;"><u>SEE PAGE 2</u></p> <p>Reviewed by: skc</p> <p>Reviewed on: 9-24-13</p> <p>Updates:</p> <p>Recommendation: File 9 – Bulosan & Suarez</p>
Ramon (2)	ARIANNA MANCERA , Maternal Aunt, is Petitioner and requests appointment of LORRAINE MANCERA and DIANE MANCERA , Maternal Aunts, as Co-Guardians.	
Samuel (1)		
Cont. from 081213		
Aff.Sub.Wit.	Father (Jade): MODESTO BULOSAN - Notice dispensed 8-12-13	
<input checked="" type="checkbox"/> Verified	Father (Ramon and Samuel): UNKNOWN - Notice dispensed 8-12-13	
Inventory	Mother: DIAMONDTINE PAULA MANCERA BULOSAN	
PTC	Paternal Grandfather (Jade): Unknown Paternal Grandmother (Jade): Unknown	
Not.Cred.	Paternal Grandfather (Ramon and Samuel): Unknown	
Notice of Hrg	<input checked="" type="checkbox"/> X	
Aff.Mail	<input checked="" type="checkbox"/> X	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.	<input checked="" type="checkbox"/> X	
<input checked="" type="checkbox"/> Conf. Screen	Paternal Grandmother (Ramon and Samuel): Unknown	
<input checked="" type="checkbox"/> Letters	Maternal Grandfather: Unknown Maternal Grandmother: Maria Paz Mancera - Deceased	
<input checked="" type="checkbox"/> Duties/Supp		
Objections		
Video Receipt	Petitioner states Jade was under guardianship with the maternal grandmother since she was 11 months old; however, the guardian passed away three years ago, and the family did not know that they should notify the Court. The mother also recently turned over Jade's half-brothers Samuel and Ramon to a family member stating that she could not care for them. The family member picked them up from what he believes was a crack house. The mother told him she was homeless. He brought them to the mother's sisters, since they have been caring for Jade and are the best people to care for the boys as well. The family is fearful that the mother will attempt to remove the children from their care – they were brought to the family filthy and hungry with matted hair and smelling of urine, ill-fitting clothes and no shoes.	
<input checked="" type="checkbox"/> CI Report		
<input checked="" type="checkbox"/> Clearances		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA	<input checked="" type="checkbox"/> X	
Citation		
FTB Notice	Court Investigator Jo Ann Morris filed a report on 8-2-13.	

Page 2

NEEDS/PROBLEMS/COMMENTS:

1. **Need clarification:** Arianna Mancera is the Petitioner in this case, rather than the proposed guardians Lorraine Mancera and Diane Mancera. As a relative, Arianna can file this petition under Probate Code § 1510, but she is not otherwise a party to the case. Examiner notes that for Court fees to be waived, all petitioners must qualify. The Court may require clarification or separate requests for fee waivers from the proposed guardians, or payment of fees.
2. **Need UCCJEA (Form GC-120) per Probate Code §§ 1510(f), 1512** containing residence history for each minor for the past 5 years as well as information regarding other cases.
3. **Need Notice of Hearing.**
4. **Need proof of personal service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing per §1511 or consent and waiver of notice or declaration of due diligence on:**
 - Jade Bulosan (minor, age 13)
 - Diamondline Paula Mancera Bulosan (mother)
5. **Need proof of service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing per §1511 or consent and waiver of notice or declaration of due diligence on:**
 - Jade's paternal grandparents
 - Roman and Samuel's paternal grandparents
 - Maternal grandfather

Petition for Visitation

Age: 6 years		MARIA BAUTISTA , paternal grandmother, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service of the <i>Notice of Hearing</i> on: <ol style="list-style-type: none"> a. Felipe E. Bautista (father) b. Vanessa Nicole Noriega (mother) c. Antonio Bautista (paternal grandfather) d. Victor Manuel Noriega (maternal grandfather) e. Kathy Ann Noriega (maternal grandmother)
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	x	
	Aff.Mail	x	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	x	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		<p>Father: FELIPE E. BAUTISTA,</p> <p>Mother: VANESSA NICOLE NORIEGA</p> <p>Paternal grandfather: Antonio Bautista</p> <p>Maternal grandfather: Victor Manuel Noriega</p> <p>Maternal Grandmother: Kathy Ann Noriega</p> <p>Current visitation order per Minute Order dated 05/08/2012:</p> <p>Father, Felipe E. Bautista, shall have no unsupervised visits with the child. Visitation with father shall be supervised by either the paternal grandfather or the paternal step-grandmother. Additionally, there shall be no unsupervised visits around the father's wife.</p> <p>Petitioner requests: that father's visits be supervised for the minor's own protection. The minor informed the guardian that he goes to his father's home and his wife is present. The child comes home crying saying that the father's wife hits him, yells at him, makes him clean the entire house and mistreats him. The minor says that he gets hit with the belt by his father for no reason. The minor informed the petitioner that he is afraid to go to the father's home because his father and the wife argue all of the time. Petitioner states that the father does not comply with the court order regarding no unsupervised visits around his wife. The paternal grandfather and the paternal step-grandmother are to be supervising the visits however the paternal grandfather passed away.</p>	
			<p>Reviewed by: LV</p> <p>Reviewed on: 09/24/2013</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10 – Bautista</p>

DOD: 4/12/2007		EVEYLN S. DUARTE, Executor, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	The deficiencies with the pleadings include, but are not limited to, the following:
Cont. from		I & A - \$155,000.00	<ol style="list-style-type: none"> 1. Petition for final distribution was filed using a fee waiver. Filing fees are considered a cost of administration and must be paid prior to distribution of assets. Therefore a filing fee of \$435.00 is now due. 2. Need Notice of Hearing. 3. Need proof of service of the Notice of Hearing on: <ol style="list-style-type: none"> a. Lila Holguin b. Melissa Romero 4. Petition was not verified. Probate Code §1021. 5. Petition does not comply with California Rules of Court 7.550 for a waiver of account. 6. Petition does not include a proposed distribution. 7. Petition indicates that the creditors have not been satisfied. Therefore the estate is not in a condition to close. 8. Petition indicates there are back taxes owing. Therefore the estate is not in a condition to close. 9. Petitioner was formerly represented by Attorney Jill Spaulding. Attorney Spaulding would be entitled to statutory fees.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 9/24/2013
			Updates:
			Recommendation:
			File 11 – Flores

Atty Wright, Melissa (pro per Petitioner/Guardian)

Petition for Termination of Guardianship

Jazmine age: 11	MELISSA WRIGHT, guardian, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Although Petitioner has filed a Petition to terminate the guardianship what she is actually requesting is to have the co-guardian Shannon Wright removed.</p>
Gilbert age: 10	SHANNON WRIGHT, paternal uncle, and MELISSA WRIGHT, paternal aunt, were appointed guardians on 3/18/2010.	
Destiny age: 8	Father: GILBERT WRIGHT – deceased.	
Cont. from	Mother: ANGELA CHAVEZ	
<input type="checkbox"/> Aff.Sub.Wit.	Paternal grandfather: Shannon Wright	
<input checked="" type="checkbox"/> Verified	Paternal grandmother: Gladys Wright	
<input type="checkbox"/> Inventory	Maternal grandfather: Ray Chavez	
<input type="checkbox"/> PTC	Maternal grandmother: Jeanie Caldwell	
<input type="checkbox"/> Not.Cred.	Petitioner is requesting Shannon Wright be removed as guardian of the children. Ms. Wright states Mr. Wright has not had any contact with the children since August 2010 when she was granted a Domestic Violence Restraining Order protecting her and the children from Mr. Wright. The Restraining Order expires in October 2013. Ms. Wright fees that removing Mr. Wright as guardian of the children is in the children's best interest, because of his extensive and on-going drug use and criminal history.	
<input checked="" type="checkbox"/> Notice of Hrg	Court Investigator Jennifer Young's Report filed on 9/25/13.	
<input checked="" type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
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<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: KT
		Reviewed on: 9/24/13
		Updates:
		Recommendation:
		File 12 – Chavez & Wright

Atty Wright, Sandra Kelly (Pro Per – Maternal Grandmother – Petitioner)
Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Jaedyn, age 2		TEMP EXPIRES 9-30-13	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Petition pertains to minor Jaedyn only. Petitioner was appointed guardianship of minor Noah 11-19-12.</p> <ol style="list-style-type: none"> Petitioner filed a declaration of due diligence for Jonathan Hewitt (Father). If diligence is not found, need proof of personal service pursuant to Probate Code §1511. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing pursuant to Probate Code §1511 or consent and waiver of notice or declaration of due diligence on: <ul style="list-style-type: none"> - Kenneth Wright (Maternal Grandfather) - Paternal Grandfather - Paternal Grandmother
		<p>SANDRA KELLY WRIGHT, maternal grandmother, is petitioner.</p> <p>Father: JONATHAN HEWITT, Declaration of Due Diligence filed on 07/30/2013</p> <p>Mother: KARISSA WRIGHT - Personally served 9-13-13</p> <p>Paternal Grandparents: Unknown</p> <p>Maternal Grandfather: Kenneth Wright</p> <p>Petitioner states: On 6-21-13 the mother checked into a mental facility after three or four days she checked out with another patient and moved to Aubery. She left the child with the petitioner. Petitioner states the mother is doing drugs.</p> <p>Court Investigator Samantha Henson filed a report on 9-23-13.</p>	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	W	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
Reviewed by: skc			
Reviewed on: 9-24-13			
Updates: 9-27-13			
Recommendation:			
File 13 – Gable-Wright			

Amended Petition to Determine Succession to Real Property

DOD: 12/30/2011		ABRAHAM ISAAC TUBBS, Jr., Sons is Petitioner. 40 days since DOD No other proceedings I&A: \$45,000.00 Decedent died intestate Petitioner requests Court determination that Decedent's real property pass to Abraham Isaac Tubbs, Jr. and Jesse R. Tubbs in equal shares pursuant to intestate succession.	NEEDS/PROBLEMS/COMMENTS: Continued from 8/30/13. Minute order states examiner notes are provided to the Petitioner. As of 9/24/13 the following issues remain: 1. Petition was filed using a fee waiver. Costs of administration must be paid prior to property passing to the decedent's heirs. Therefore, the filing fee of \$435.00 must be paid to the Court prior to the signing an order to pass the property. 2. Petition must be joined in by all who succeed to the property. Therefore based on previously filed petitions, Jesse R. Tubbs, son, must also be a petitioner. 3. Inventory and Appraisal is incomplete at 3 – 5. It does not indicate whether or not this is all or a portion of the property that has come to Petitioner's knowledge or possession. And whether or not a property tax certificate has been completed. 4. Need Notice of Hearing. 5. Need proof of service on Petition to Determine Succession to Real Property. 6. Need attachment 14 to the petition listing all heirs who will take under intestacy. 7. Order is incomplete (completely blank at items 1 - 11). Need completed order.
Cont. from 082913			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
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<input type="checkbox"/>	Notice of Hrg x		
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<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Reviewed by: KT	
		Reviewed on: 9/24/2013	
		Updates:	
		Recommendation:	
		File 14 - Tubbs	

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 14 years		<p style="text-align: center;">There is no temporary. No temporary was requested.</p> <p>GRAZIELA SAUCEDA, paternal grandmother, is petitioner.</p> <p>Father: WILLIAM ANTHONY SANTOS</p> <p>Mother: VIVA GARCIA – Declaration of Due Diligence filed on 7/29/13.</p> <p>Paternal grandfather: not listed Maternal grandfather: not listed Maternal grandmother: Maggie Velez</p> <p>Petitioner states Petitioner states the minor needs to stay with her or she will not be able to go to school.</p> <p>Court Investigator Samantha Henson's Report filed on 9/23/13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Petitioner previously filed a petition to be appointed guardian. At the hearing on 5/13/13 the petitioner did not appear. Margarita Velez appeared and stated the Petitioner no longer wanted to proceed with the guardianship and the Petition was denied.</p> <ol style="list-style-type: none"> Petition does not include the names and addresses of the paternal grandfather and the maternal grandfather. Need proof of <u>personal</u> service of the Notice of Hearing along with a copy of the Petition, or Consent and Waiver of Notice, or Declaration of Due Diligence on: <ol style="list-style-type: none"> William Anthony Santos (father) Viva Garcia (mother) – unless the court dispenses with notice. Abrina N. Santos (minor) Need proof of service of the Notice of Hearing along with a copy of the Petition, or Consent and Waiver of Notice, or Declaration of Due Diligence on: <ol style="list-style-type: none"> Paternal grandfather Maternal grandfather Maggie Velez (maternal grandmother) UCCJEA is incomplete. Need residence information for the minor for 2007 – 12/2012.
Cont. from			
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<input type="checkbox"/>	Objections		
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<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		<p>Reviewed by: KT</p> <p>Reviewed on: 9/25/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 15 – Santos</p>	

Amended Petition to Determine Succession to Real Property (Prob. C. 13151)

DOD: 2-6-12		MARK B. HOLBROOK , son, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Notice to Shelley Docimo was sent "c/o" Wendy Tibbett. Probate Code and Cal. Rules of Court 7.51 require <u>direct</u> notice. The Court may require continuance for proper notice.	
		40 days since DOD		
		No other proceedings		
	Aff.Sub.Wit.	I&A: \$55,000.00		
	Verified			
✓	Inventory	Will dated 12/20/08 devises the residence located at 806 West Terrace, Fresno, Ca. to Mark Holbrook.		
	PTC			
	Not.Cred.			
✓	Notice of Hrg	Petitioner requests Court determination that decedent's 100% interest in real property located at 806 West Terrace, Fresno, Ca. passes to Petitioner pursuant to decedent's will.		
✓	Aff.Mail	w		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
				Reviewed by: skc
				Reviewed on: 9-24-13
			Updates:	
			Recommendation:	
			File 16 – Ellis	

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 9 years		<u>TEMPORARY EXPIRES ON 9/30/2013</u>		NEEDS/PROBLEMS/COMMENTS:	
		ANTONIO GARCIA , step-father, is petitioner.		1. Need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: a. Natalia Sosa (paternal grandmother)	
		Father: JUVENTINO CHAVEZ – consents and waives notice.			
Cont. from 090913		Mother: JULIA PATRICIA RAMIREZ – personally served on 8/13/13.			
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
	Notice of Hrg	X			
	Aff.Mail	X			
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.	X			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
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✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
				Reviewed by: KT	
				Reviewed on: 9/24/2013	
				Updates:	
				Recommendation:	
				File 17 – Ramirez	

Petition for Appointment of Temporary Guardian of the Person

Age: 3	TEMP GRANTED EX PARTE EXPIRES 9-30-13	NEEDS/PROBLEMS/COMMENTS:
	GENERAL HEARING 11-18-13	<u>Notes:</u>
	ATHENA HOWARD, Maternal Aunt, is Petitioner.	<ul style="list-style-type: none"> Petitioner resides in Visalia, CA (Tulare County) with the minor. The minor previously resided with the parents in Fresno. The pending Family Law dissolution case is Fresno Superior Court Case No. 13CEFL04969. The pending domestic violence restraining order was filed within the dissolution case 13CEFL04969.
Aff.Sub.Wit.	Father: ALFRED G. ESPINOZA	
✓ Verified	Mother: ARIELLE A. SORENSEN-ESPINOZA - Personally served 9-17-13	
Inventory	Paternal Grandfather: Fred Espinoza Paternal Grandmother: Auroa Garcia	
PTC	Maternal Grandfather: Peter Sorenson Maternal Grandmother: Janette Freeman	
Not.Cred.		
✓ Notice of Hrg		
✓ Aff.Mail		
Aff.Pub.		1. The mother filed for dissolution of marriage, as well as a domestic violence restraining order and custody of the minor on 9-11-13 and the DVTRO and temporary custody were granted on 9-12-13. A hearing on the DVTRO and temporary custody request is scheduled for 10-4-13 in Dept. 304.
Sp.Ntc.		
✓ Pers.Serv.		
✓ Conf. Screen	Petitioner states the minor has been abused by her father. See details in petition.	
✓ Letters		
✓ Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
✓ UCCJEA		
Citation		
FTB Notice		
		Therefore, the Court may require further clarification for this Probate Guardianship case with reference to Local Rule 7.15.7 and the <u>presently pending</u> family law matter.
		2. Petitioner requests to be excused from giving notice to the father. If notice is not excused, need proof of service pursuant to Probate Code §2250(e).
		<u>Note to Judge:</u> If granted, please insert the expiration date at #9 of the order.
		Reviewed by: skc
		Reviewed on: 9-25-13
		Updates:
		Recommendation:
		File 18 – Espinoza

Petitioners state, continued:

- The parents have openly admitted they need rehabilitation on numerous occasions, for which the Petitioners have told the parents they will pay but the parents have not accepted their offers;
- The child's father, Daniel, has lost his driver's license due to 2 recent DUI's, and he has violated the terms of his probation by drinking alcohol and driving while intoxicated since being last arrested for DUI; Daniel is normally very kind, but when on meth his moods swing dramatically and he suffers paranoid rages; he has never physically hurt them or the child, but his rages are getting worse, and the child sees everything and pleads with his father to stop, but Daniel doesn't even see that the child is in the room; Daniel owns several guns and rifles at his apartment and has pulled the guns out before, and Petitioners are concerned that the weapons could be used inappropriately when Daniel is impaired;
- Petitioners are very closely bonded with the child, who has his own room filled with toys and books at Petitioners' home, and Petitioners are the only safety and stability the child knows; he has spent over 50% of his life at Petitioners' home; Petitioners have regularly taken the child to and from school and his teachers know the Petitioners;
- Petitioners feel they must protect the child until the parents successfully complete rehabilitation programs; Petitioners want the child's parents to have the child back with them as long as they are alcohol and drug free, and can provide him with a clean, safe home;
- **Therefore, Petitioners' request the Court order:**
 1. Guardianship is granted to Petitioners;
 2. That the child's parents Daniel and Melanie successfully complete an accredited drug and alcohol rehab program;
 3. That Daniel earn his California driver's license back by complying with the terms of his probation;
 4. That Daniel and Melanie successfully complete a court-approved parenting class;
 5. That Daniel and Melanie successfully complete a court-approved anger management class; and
 6. Frequent, supervised, healthy contact between the child and his parents until the guardianship is terminated.

NEEDS/PROBLEMS/COMMENTS, continued:**Note: Order After Hearing filed 9/3/2013 makes the following findings, summarized in pertinent part:**

- The appointment of temporary guardianship of the person of Sebastian Christopher Mobley to Petitioners shall continue until the hearing date of 9/30/2013, with Letters to expire 9/30/2013;
- Objectors/Parents, Daniel Mobley and Melanie Miller, shall have supervised visitation with the child at Child Supportive Services located in Clovis; supervised visitation shall occur for a maximum of 3 hours per week at Petitioners' cost; any additional supervised visitation shall be paid by the Objectors/Parents;
- The Petitioners and each Objector/Parent shall contact Child Supportive Services to register by the end of the business day on 8/13/2013, and shall be responsible for his/her own registration fees and/or orientation costs; the parties shall follow the agency's policies and procedures regarding visitation; if an agreement cannot be reached between the parents regarding times and days for visitation, the supervising agency shall determine the times, days, and conditions for visitation;
- The Petitioners shall provide the Objectors/Parents with all information regarding the child's school;
- This matter is set for contested hearing on **9/30/2013 at 8:30 a.m. in Department 71** (which coincides with the hearing date of the *Petition for Appointment of General Guardian.*)

~Please see additional page~

Objection to Temporary and Permanent Guardianship of Minor filed by MELANIE MILLER, mother, on 8/8/2013 states:

- She objects to the appointment of James Mobley and Laurel Mobley as guardians of her son;
- **Move to Colorado:** It is true they are planning to move to Clear Creek, Colorado, with the help of her father, **DON MILLER**, who recently received an inheritance and has offered to pay for her to attend college, which will help her get a job that is not dependent on typing;
 - One of the major factors in their move is to get a new start, free from drugs and alcohol; her father does not drink at all; the town does not welcome any form of drug abuse, which will help their sobriety; she believes the move will remove them from a co-dependent and toxic situation and benefit their decision to work toward a clean and sober life for the benefit of both themselves and their son;
 - It is true that her father has given them money to move; they used some of it to clear debts and obligations so that they can start with a clean slate;
 - They have been talking with Sebastian (proposed ward) about the move, and he seemed excited; after a visit with Laurel (Petitioner, paternal grandmother), he came home quite upset asking if Colorado was the "scary place that's far, far away full of people I don't know?" He also told them that he wanted to be an American; apparently he was told that Colorado is not in this country; they talked to him about it and showed him Colorado on a map of the U.S. and he appeared to be OK;
 - It was not their intention to take Sebastian away from his paternal grandparents; however, he also has a right to a relationship with his maternal relatives and to a healthy relationship with his parents.
- **Drug and alcohol abuse:** It is true that she has used both methamphetamine and alcohol for a long time;
 - She primarily drinks beer; however, she does not pass out; the statement made by Laurel that she came to her (mother's) apartment and found her passed out with Sebastian present is a lie; their apartment is not in a good area of town; the door is kept locked all the time, and Laurel would not have been able to enter unless she somehow broke in;
 - Their child, **ZACHARIAH WAYNE MILLER**, was born when they were 15 and 16 years of age; he died from Sudden Infant Death Syndrome (SIDS) when he was 2 ½ months old; their substance abuse got much worse after that trauma;
 - Until recently, when James (Petitioner, paternal grandfather) spent 12 days in a 30-day inpatient treatment program at the V.A., methamphetamine, Vicodin, and other drugs were alright to use in his home and they all participated;
 - Over the years, much of the drug use they participated in has been with James and Laurel; as recently as the first weekend of July 2013, they were with Laurel who stated, "I am so depressed, do you have any speed?" Daniel (father) said no, but if she had money he would get some; Laurel gave him **\$40.00**, he got the drugs and they all snorted it;
 - She and Daniel have made a decision to change their lives; she knows that it will be difficult; however, their drug use has not increased; it has decreased since making this decision; she has located support groups in the Clear Creek area (*printout list attached as Exhibit A*); they will be less than 50 miles from Denver, where there are many resources;
 - She fails to see how James, a dry drunk who abuses prescription medications, and Laurel, who is still using methamphetamine, are more capable of raising and protecting Sebastian than they are; their substance abuse issues are not in the past, as neither of them have addressed those issues in the manner they are demanding we address our issues.

~Please see additional page~

Objection to Temporary and Permanent Guardianship filed by MELANIE MILLER on 8/8/2013, continued:

- **Sebastian's residence:** Sebastian has not lived primarily with the proposed guardians for most of his life; much of the time has been at their house and they were all there; they lived with the Mobleys from 2011 when she was laid off from her job with the Fresno County Assessor's Office due to staff reduction of 300 people, until she received unemployment in summer 2012; the Mobleys invited them to live at their home and they started with a mattress in the corner of the living room, and she did much of the cooking for the family; she was called back to work for the Recorder's Office later in 2012 and worked there until the pain in her hands became unbearable; it was determined by Workers' Compensation not be a work-related injury; however, she had to quit the job because of the pain; she used the funds she received from Fresno County to have a bedroom built in the Mobleys' garage; after she received unemployment benefits in 2012, they moved into their own apartment and let Sebastian stay with the Mobleys a couple nights a week as they were still there all the time and she continued to cook for them frequently.
- **Sebastian's medical needs:** *[in sum, specific details omitted to protect child's privacy]* Sebastian's problem relates to an enlarged colon which has been present all of his life; Laurel has attempted to address the problem in inappropriate ways, such as giving adult doses of medication for the problem, which exacerbates the problem and causes worse negative consequences for the child; she has applied for Medi-Cal so that Sebastian will have some health insurance, but at one point she was denied because Laurel had applied for Healthy Families using her information without her knowledge.
- **Sebastian's care:** Over the last 2 weeks before guardianship was requested, they did let Sebastian stay with the Mobleys about four days a week; they were cleaning and packing in anticipation of their move; they were at the Mobleys' house constantly just before the Mobleys served them with guardianship papers; they spent a couple of days washing clothes at their house, and most of their clothing is still there; it is true that their apartment got very dirty; they were packing and making arrangements to move and it just got away from them; she truly did not realize how bad it was; however, it is now clean; we do not believe that James and Laurel are an appropriate placement for Sebastian; although James is currently not drinking, all of his alcoholic behaviors remain in place; he is a mean and surly man who isolates himself from everyone; he spends his time either watching political shows on television or playing video games; Sebastian's function is to distract Laurel, who has threatened to leave James; James believes strongly in corporal punishment and has mocked us for not allowing anyone at our house to hit; he recently asked Daniel for permission to hit Sebastian; when Sebastian was 4 or 5 and they were living with the Mobleys, James hit Sebastian so hard on the thigh he left a big hand print; recently, James almost hit Melanie, and James rails at her because she will not fight with him; James takes many prescription medications in addition to having a medical marijuana card; the medications are not locked up, and all the bottles are on a table by his bed; frequently, he will take three [of a prescribed medication] at a time, then sleep for hours; Laurel is depressed and clingy, and frequently talks about killing herself; she has no [personal] boundaries at all, and she has to be in the bathroom when Sebastian is taking a bath or using the toilet as she thinks he must be watched at all times; they think he is old enough to have some privacy; she was the same way with Daniel when he was young; Laurel wants to keep Sebastian a baby; most of the books available to him at the Mobley house are at a toddler level; the Mobleys have an unfenced pool in the back yard with a gate that is always left open; the Mobleys have not regularly taken our son to and from school; when Sebastian was being bullied by a child at school, they met with his teacher and resolved the issue; James saw fit to interfere by meeting with the principal.

~Please see additional page~

Objection to Temporary and Permanent Guardianship filed by MELANIE MILLER on 8/8/2013, continued:

- **[Daniel's (Sebastian's father's) behavior]:** Daniel does not have mood swings or paranoid psychotic rages; he did get upset with his parents and yell just before they were served with the guardianship paperwork because he perceived that they were behaving strangely, which turned out to be the case; when Daniel gets mad, he may yell a bit, then he typically goes outside and smokes a cigarette to calm down; he has not attacked anyone, and she (Melanie/mother) is not afraid of him.
- **Guns:** They have a 9 m.m. handgun, a 44 Special handgun, and a 20-gauge shotgun at their apartment; all of the guns are equipped with trigger locks; the cylinder is also removed on the 44 Special to render it unusable; the 44 Winchester rifle is currently in a pawn shop, but when it is in their possession it also has a trigger lock; the 2 Mosin Nagant rifles are at the Mobleys' house; we have never pointed any of the guns at any living being, whether human or animal [sic]; if one is taken out at the house, Sebastian is shown how to handle it and reminded that he is not to touch the guns unless invited by an adult; they like to shoot paper targets, not animals; James also keeps guns at his house; he does not lock them or keep them in a gun safe; he has told us they are of no use against intruders if they are locked up; they fail to see how this is safer than the guns they have.

Objectors' request that the Petition for Guardianship be denied and that their son be returned to their care; they are taking appropriate steps to address their issues; the proposed guardians have their own issues to address, and they believe the Mobleys are not in any better position to raise Sebastian than they are.

Objection to Temporary and Permanent Guardianship of Minor filed by DANIEL MOBLEY, father, on 8/8/2013 states [the same form and substance as the Objection filed by Melanie Miller, with the following additional and/or different statements]:

- **Drug and alcohol issues:** One of the major factors in the move to Colorado is the desire to get a new start, free from drugs and alcohol;
 - Until recently when his father, James Mobley, spent 12 days in a 30-day inpatient treatment program at the V.A., methamphetamine, Vicodin, and other drugs were alright to use in his home and we all participated; his father selected him as his drinking buddy when he was 13 years of age; he remembers one time as a teenager, he found his father and two of his friends with a half-gallon jug of hard liquor at about 8:30 a.m. and the bottle was almost half empty at that point;
 - Their drug use has not increased recently; it has decreased with their decision to make the changes in their lives; just before serving them with the guardianship documents, his father presented them with a pint of rum and a 12-pack of beer; it is clear that their aim is to keep us dependent; his father did mention a rehab program, but provided no specific information and no written information; he thinks it is critical for their recovery to detach from his parents;
 - He had a DUI in 1998 and a second one in 2008; they were a month shy of being 10 years apart; he currently has a provisional license; it is true that he has not completed all of the required classes, primarily due to lack of funds;
 - His father has completed less than half of a rehabilitation program, but he has stopped drinking; unfortunately, none of his other addictive behaviors have changed;

~Please see additional page~

Objection to Temporary and Permanent Guardianship of Minor filed by DANIEL MOBLEY on 8/8/2013, continued
[the same form and substance as the Objection filed by Melanie Miller, with the following additional and/or different statements]:

• **Drug and alcohol issues, continued:**

- His father believes strongly in corporal punishment and has mocked us for not allowing anyone to be hit at our house; his father recently asked him for permission to hit Sebastian; however, he did not give that permission; when Sebastian was 4 or 5 and they were living with the Mobleys, his father hit Sebastian so hard on the thigh he left a big hand print; recently, his father almost hit Melanie; he is concerned that awarding his father control of Sebastian will result in inappropriate corporal punishment of their child;
- His mother is depressed and clingy and frequently talks about killing herself; she takes Vicodin and methamphetamine frequently.

• **Jobs:** He has not been employed for several years; he was employed at Domino's Pizza as a driver when he was 27 years old; he did not get enough hours, so he went to DaVinci's Pizza, where he worked his way up from delivery to store manager; after a time, he left that shop and managed another store for two years; when Sebastian was younger and Melanie was working full time for Fresno County, they decided that he would stay home and take care of Sebastian while she worked; since that time, he has been Sebastian's primary care provider;

- Recently, his parents were letting them use one of their vehicles, so he got a job managing a recycling center; he had training on Monday, Wednesday and Friday of his first week; the center was across the street from their apartment, but he needed a car to make bank deposits and withdrawals to keep the business running; the car was taken away the next Tuesday, and he lost that job;
- He is excited to move and work toward being independent of his parents; they have both let their dependency go on for far too long;
- When Melanie was laid off from her job with Fresno County in 2011 as a result of staff reductions, his parents invited them to live in their home; even after Melanie was rehired, they remained at his parents' home; his wife [Melanie] had to quit her job due to extreme pain in her hands; she had cooperated with Workers' Compensation; however, they determined that her condition was not work-related.

• **Sebastian:** Their son is a great kid who is bright and inquisitive; he is a smart boy who can read and play solitaire; he has been his primary caregiver for years, and have taught him simple mathematics with water bottles;

- Laurel appears to want to keep Sebastian a baby, and most of the books available to him at the Mobley house are at a toddler level;
- Sebastian's [medical problem characterized by] an enlarged colon has been present all of his life, and they were told he would grow out of it; Laurel [has used inappropriate methods for potty training], which frightened Sebastian and [the problem became so bad] that he had to be hospitalized; they were at the hospital constantly while his parents were not; Laurel kept trying to interfere and give orders regarding their son's care, and the pediatrician reminded her that Laurel is a surgical nurse, not a pediatrician, and the pediatrician told her to back off; Laurel has interfered in [the medication doses given to Sebastian] causing the problem to be worse, [which does not happen as long as he not given the high doses of medication] as he is given at the Mobley house.

~Please see additional page~

Objection to Temporary and Permanent Guardianship of Minor filed by DANIEL MOBLEY on 8/8/2013, continued
[the same form and substance as the Objection filed by Melanie Miller, with the following additional and/or different statements]:

• **Sebastian, continued:**

- Sebastian was being teased at school by another child; he is quite tall, has red hair, and is very bright and intelligent; they met with his teacher and she addressed the situation with the other child; after they had already taken care of it, his father met with the principal, whom he knows from water polo; that meeting was unnecessary and is another instance of the poor boundaries in his family;
 - Melanie was working on getting Medi-Cal for Sebastian; their mail has been going to the Mobleys' residence because the mail boxes at their apartment complex are in disrepair; although they were trying to get Medi-Cal for Sebastian, they were denied after Laure applied for Healthy Families in Melanie's name without talking to us;
 - He and his wife take excellent care of Sebastian, in spite of the interference of his parents; they will not be isolated after their move and have decided not to participate in being smothered any longer;
 - Recently, after they had told his parents about the move to Colorado, they were picking up Sebastian when Laurel jumped on Melanie's back; after we got Laurel off, she went after Melanie again;
 - He does not believe that James and Laurel Mobley are an appropriate placement for Sebastian;
 - Although James is not currently drinking, all of his alcoholic behaviors remain in places, and Laurel is depressed and infantilizes Sebastian; he believes this is detrimental to his growth and independence.
- **Guns:** He has never pointed any of his guns at any living being; there was an incident about 3 months ago when a drug-using person named "James" came to his apartment pounding on the door; he never opened the door, nor did he get out any of the guns; he told the person he was calling 911, and he eventually left; after he left, he called the police back and cancelled the 911; James Mobley also keeps guns at his house; he does not lock them or keep them in a gun safe, and has told us they of no use against intruders if they are locked up.

Objector Daniel Mobley states he believes his son is much safer with [him and his wife Melanie] than with his grandparents [James and Laurel Mobley], and requests that the Court deny the guardianship request.

Court Investigator Charlotte Bien's Report was filed on 9/24/2013.